

The Salisbury Planning Board held its regular meeting Tuesday, July 11, 2006, in the City Council Chamber of the Salisbury City Hall at 4 p.m. with the following being present and absent:

PRESENT: Dr. Mark Beymer, Nathan Chambers, Robert Cockerl, Lou Manning, Brian Miller, Sandy Reitz, Valarie Stewart, Albert Stout, Dr. Kelly Vance, and Price Wagoner

ABSENT: Diane Young, and Tommy Hairston

STAFF: Preston Mitchell, Diana Moghrabi, Joe Morris, David Phillips, Patrick Ritchie

Chairman Brian Miller called the meeting to order and offered the invocation. The minutes of the June 27, 2006, meeting were approved as published.

OLD BUSINESS

Z-07-06 Rainy Day Investments, LLC, Petitioner

LOCATION: Unnumbered West Ritchie Road

Located between West Ritchie Road and the Julian Road/I-85 interchange-approximately 2,000 feet south of the intersection of Julian Road and W. Ritchie Road

From: A-1 **To:** M-1

Parcel: 402-004 & 400-026 (2 parcels)

Acres: 4.16

This item first appeared on the June 27, 2006, Planning Board agenda as a request to rezone approximately 4.16 acres (two parcels) from A-1 (Agriculture) district to M-1 (Light Industrial) district.

Referencing the staff report and analysis from the June 27 agenda, staff recommended partial approval because of negative impact concerns on the existing, viable neighborhood across West Ritchie Road from the subject site. Upon receiving staff recommendation at the June 27 courtesy hearing, the petitioner expressed that he did not object to the concerns and was willing to work with staff to reach an alternative solution. Please see the Committee 2 report, dated July 7, 2006, for further information.

Staff presented the revised rezoning request. This new request split-zones TM&P 400-026 by preserving the A-1 district on the northern 572-foot section of this tall, skinny parcel. This northern section is the area located directly across West Ritchie Road from the existing houses. The southern 490-foot section, as well as all of TM&P 402-004, is still proposed for the M-1 district.

A surveyor proposed the fixed distances from the property lines.

Staff recommends approval.

Sandy Reitz commended the petitioner and staff for their work in reaching an agreeable solution.

Lou Manning made a MOTION to approve stating, "The Planning Board believes that the proposal for zoning petition Z-07-06 as amended for the petitioner with a new zoning plan is consistent with the overall growth strategies of the adopted Strategic Growth Plan and the Vision 2020 Comprehensive Plan and hereby recommends approval of rezoning tax map and parcel 402-004 and a portion of 400-026 from A-1 district to M-1 district." Albert Stout seconded the motion with all members VOTING AYE. (10-0)

NEW BUSINESS

A. Zoning Map Amendment

- Explanation of procedure
- Staff Presentation
- Courtesy Hearing
- Board discussion
- Statement of Consistency and Motion

1. Z-08-06 John Leatherman, Petitioner

LOCATION: 2030 Rosemont Street

From: R-8 **To:** B-1

Parcel: A portion of 61-2 Parcel 9

Acres: 0.112

Located at the end of Rosemont Street, which extends south off of Mooresville Road (Hwy 150).

Preston Mitchell made a staff presentation for this zoning map amendment.

Zoning

Existing Zoning:

R-8 district--Single family-8 residential district (R-8). The single-family-8 residential (R-8) district is intended primarily for detached single-family dwellings and their customary accessory buildings or structures and to establish areas for a density of development relative to the lot size requirements of this district.

Proposed Zoning:

B-1 district--Office institutional district (B-1). The office institutional district is intended primarily for the location of businesses of a service type which do not maintain a stock of goods for sale or retail trade.

Property Status

The parcel is developed with a single-family structure, driveway, and wood fence separating the developed portion—which is not part of this rezoning—from the undeveloped 0.112 acres in the southwest corner—which is the area requested for rezoning.

This zone change petition is unique in that there is no specific section of the Strategic Growth Plan or the Salisbury Vision 2020 Comprehensive Plan that addresses this type of request.

This petition is tied directly to an Exception Plat that was approved by the Subdivision Administrator in February of 2004 to recombine two lots. A note was placed on the plat stating that, "Part of Lot 1 (0.112 ac.) is to be recombined by deed with existing tax map 61 parcel 217." The recombination places the 0.112-acre subject site into the larger B-1 tract (TM&P 061-217) along Jake Alexander Boulevard. This follow-up rezoning petition brings the recombined properties under one zoning classification.

Although this petition is directly linked with the Exception Plat, the Board is not under any obligation to recommend rezoning this portion of property. However, staff does not believe that this rezoning will create a domino effect—which may be a concern if the entire property was requested for rezoning. If the house was subject to the rezoning, it is that conversion that often creates the domino effect.

Staff recommendation

Staff believes that rezoning petition Z-08-06 is not inconsistent with the overall growth strategies of the 2000 Strategic Growth Plan and the Vision 2020 Comprehensive Plan, and hereby recommends approval of rezoning a portion of tax map and parcel 0612009 from R-8 district to B-1 district.

Chairman Miller opened the Courtesy Hearing.

Those speaking in favor of the map amendment:

Glenn Ketner, Jr., attorney for Ketner/Dees, 121 E. Kerr Street and John Leatherman of 120 Gregory Road made themselves available for any questions. They supported staff's recommendation; this is a cleanup consistent with the adjacent property. They are happy to have an issue that is non-controversial.

Those speaking in opposition:

Mary Ann Summey of 611 D Avenue asked why the GDA Overlay was not included in the rezoning. It would have to be included in the petition to be considered consistent with the adjacent property. Staff agreed that it had been an over simplification and the petitioner stated that they had no objection to adding the GDA Overlay. Notifications for the Public Hearing scheduled for August 1, will include the GDA Overlay.

Chairman Miller closed the Courtesy Hearing.

Lou Manning made a MOTION to approve with the amendment from the floor to include the GDA Overlay. "The Planning Board believes that rezoning petition Z-08-06 is not inconsistent with the overall growth strategies of the 2000 Strategic Growth Plan and the Vision 2020 Comprehensive Plan, and hereby recommends approval of rezoning a portion of tax map and parcel 0612009 from R-8 district to B-1 district." Price Wagoner seconded the motion with all members VOTING AYE. (10-0)

B. Group Developments

David Phillips made the staff presentation for group developments.

1. G-11-06 CATAWBA COLLEGE

2300 West Innes Street

Tax Map 001, Parcel 011, Zoning C-U (College University)

Mr. Henry Haywood of Catawba College submitted the application for the construction of five residential dormitories with a total of 45,000 square feet to be located at 2300 West Innes Street. All zoning criteria have been met. The Technical Review Committee recommends approval of the application to the Planning Board as submitted.

Catawba College plans to build two suite-style dorms along Summit Avenue between Pine Knot Residence Hall and the Ruth-Richard House. The new dorms will hold 26 students each.

Three apartment-style residence halls will be constructed where the 40-year-old Julius A. Abernethy Sr. Hall now stands. Each of these new dorms will hold 24 students. Abernethy Hall, which housed 122 students, will be demolished as part of a two-year, \$15 million project.

The improvements at Catawba also will include renovations of Hoke Hall, Corriher-Linn-Black Library and the Cannon Student Center.

Those speaking in favor:

Joseph Umbel with Davis, Martin, Powell and Associates, Civil Engineers for the College located at 6514 Old Plank Road, High Point, NC 27265. There was an article in today's paper covering this project. He made himself available for questions.

Those speaking in opposition of the improvements: NONE

Because residents have been active in the past, the Chair asked if there had been proper public notifications. David Phillips noted that six property owners had been omitted, and an attempt had been made to reach them by phone. The consensus was from these neighbors that "as long as it was not a rezoning and it stays on campus they are in agreement."

Lou Manning made a MOTION to approve G-11-06 as submitted. Albert Stout seconded the motion with all members VOTING AYE. (10-0)

"I'm pleased they're making this investment," Planning Board Chairman Brian Miller said.

2. G-12-06 KMD HOLDINGS, LLC

1305 N. Richard Street

Tax Map 007, Parcel P/O 190, Zoning M-1 (Light Industrial)

Mr. Kyle Davis, of KMD Construction, submitted the application for the construction of an 8,000 square-foot pre-engineered metal storage building to be located at 1305 N. Richard Street. All zoning criteria have been met. The Technical Review Committee recommends approval of the application to the Planning Board as submitted.

Mr. Phillips commented that there was a lot of activity in this part of the city. This has been a vacant property since the mill burned down and debris was cleared, and the property has been legally subdivided.

This is small to be coming before the Planning Board, but it has the potential of becoming a multi-tenant building (as many as three tenants). Anything over two tenants is considered a group development even if it is under 10,000 square feet and under 50 parking spaces.

Public Comment

Kevin Cuevas of KMD Holdings, LLC, 1001 Old W. Innes Street, stated that he was in favor of the project.

Board Discussion

Valarie Stewart made a MOTION to approve G-12-06 as submitted. Albert Stout seconded the motion with all members VOTING AYE. (10-0)

3. G-13-06 LEATHERMAN DEVELOPMENT

300 Block Jake Alexander Blvd. West

Tax Map 061, Parcel 217, Zoning B-1 w/GDA Overlay

Mr. John Leatherman submitted the application for the construction of a parking lot and access drive to include 69 parking spaces to be located in the 300 block of Jake Alexander Boulevard West. All zoning criteria have been met. The Technical Review Committee recommends approval of the application to the Planning Board, contingent upon the following provision being met:

The portion of the property identified as "Part of Lot 1" is currently zoned R-8. Recommendation of this group development is contingent upon this area being rezoned to B-1 with GDA Overlay. The portion of this lot will also need to be combined and recorded at the Register of Deeds with the primary parcel.

Those speaking in favor of the improvements:

Glenn Ketner, Jr., attorney for Ketner/Dees, 121 E. Kerr Street and John Leatherman of 120 Gregory Road made themselves available for any questions.

Those speaking in opposition to the improvements: NONE

Lou Manning made a MOTION to approve G-13-06 as submitted. Albert Stout seconded the motion. The group development was approved 9-1 with Dr. Kelly Vance voting against.

COMMITTEES

- **Committee 1**, reviewing the proposed Sidewalk Prioritization Plan will meet at 8 a.m., July 12, 2006, in the first floor conference room and Robert Cockerl will participate in Price Wagoner's absence.
- **Committee 3-S-07-06**, Subdivision of Tax Map 019-A Parcel 025 into eleven residential lots will remain in the committee level.

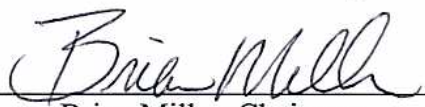
OTHER BUSINESS

Chairman Miller will be absent from the next meeting. He encouraged all members to attend when possible.

Dr. Vance told the chairman that it was a good meeting and she appreciated the pace at which it was run.

Preston Mitchell requested Planning Board orientation to be scheduled either during the week of August 14 or 24. Please consult your calendars and advise the Planning Board secretary as to your availability.

There being no further business to come before the Planning Board, the meeting was adjourned at 5:05 p.m.


Brian Miller, Chairman


Lou Manning, Vice Chairman


Secretary, Diana Moghrabi